

**Record of Proceedings  
Village of Peninsula Council  
REGULAR SESSION**

Held: Monday, December 9, 2019

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**CALL TO ORDER:** The Village of Peninsula Council convened at 7:00 p.m. in the Peninsula Village Hall. Mayor Douglas Mayer called the meeting to order and initiated the Roll Call, followed by the Pledge of Allegiance. The following members were present.

**COUNCIL MEMBERS:**

Michael Matusz	ABSENT	Mayor Douglas Mayer	PRESENT
Richard Fisher, Jr.	PRESENT	Chris Weigand	PRESENT
Michael J. Kaplan	PRESENT	Daniel Schneider	PRESENT
Diane Holody	PRESENT		

**OTHERS PRESENT:** Solicitor Brad Bryan, Police Chief Joseph Varga, and Fiscal Officer Trevor Elkins.

**PRESENTATION AND CONSIDERATION OF RECORD OF PROCEEDINGS:**

**November 11, 2019 Regular Council Meeting:** Mr. Schneider made a motion to approve the November 11, 2019 Regular Council Meeting Minutes that was seconded by Mr. Kaplan.

Roll Call Vote: Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The November 11, 2019 Minutes were approved.

**November 19, 2019 Special Council Meeting:** Ms. Holody made a motion to approve the November 19, 2019 Special Council Meeting Minutes that was seconded by Mr. Weigand.

Roll Call Vote: Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The November 19, 2019 Minutes were approved.

**SPECIAL MATTERS AS DETERMINED BY THE CHAIR:** None.

**CITIZENS PARTICIPATION:** None.

**REPORTS:**

**MAYOR'S REPORT:** The Mayor stated Officer Dean McGhee resigned, and his last day with the Village will be December 28, 2019. Officer McGhee has accepted a position with the Boston Heights Police Department. The Mayor also welcomed two new officers, Zackery Bennett and Joseph Davis.

**FISCAL OFFICER'S REPORT:** Mr. Elkins presented Council with a temporary appropriations budget for the first quarter of 2020. He also stated he will begin working with the new Mayor on the 2020 budget. Mr. Elkins then discussed the process for purchases with Council, stating it is a violation of the Ohio Auditor's Standards and Policies for an individual to purchase items without proper approval. Approval is first needed through a proper requisition. He emphasized the importance of following the correct procedures.

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**Finance Liaison, Ms. Holody:** Ms. Holody made a motion for Acknowledgement of Receipt of the Financial Reports that was seconded by Mr. Kaplan.

Roll Call Vote: Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was approved.

Ms. Holody made a motion for Ratification of the Submitted Bills List that was seconded by Mr. Kaplan.

Roll Call Vote: Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was approved.

**Police Department Liaison, Mr. Schneider:** Mr. Schneider had nothing to report.

**Roads and Public Works Liaison, Mr. Matusz:** Ms. Holody thanked the Service Department for the final grade of stone on Bishop Lane. Mr. Schneider stated new tires were purchased for the chipper.

**Planning Commission, Mr. Weigand:** Mr. Weigand stated the final Planning Commission Meeting of the year was held on December 2, 2019. It was a combined meeting for the months of November and December. The Planning Commission approved the version of Ordinance No. 21-2019, the Conservation/Recreation District and Overlay Ordinance, that was on the November Regular Council Meeting Agenda and this Meeting's Agenda. The Planning Commission also approved the Subdivision Regulations Ordinance that is also on the Agenda for this Council Meeting. Before the Subdivision Regulations Ordinance has its third reading before Council, a public hearing will be necessary. The Planning Commission also reviewed Chapters 1113, 1117, and 1121 of the Zoning Code and recommended some adjustments to those Chapters. The amendments to those Chapters will be submitted to Council at a later date.

**Wastewater:** Mr. Schneider reported that Kurt Princic, who is in charge of the Ohio EPA Twinsburg office, requested a meeting with him and the new Mayor after the first of the year. The meeting is tentatively scheduled for January 6, 2020.

**Zoning:** Mayor Mayer stated he has nothing to address at this point of the meeting.

**Board of Zoning Appeals:** Mayor Mayer stated two more people are still needed on the BZA.

**Buildings and Grounds Liaison, Richard Fisher, Jr.:** Mr. Fisher stated he met with Ms. Holody and Mr. Andexler in front of the Methodist Church. They determined 7 or 8 sandstone sidewalk pieces need to be replaced. He contacted several contractors, but only one has returned his call. He is currently working with Jeremy Garcia of Aurora Landscaping for a project quote. Mr. Fisher also stated the Village Hall furnace is 19 years old and may need to be replaced. There have been issues with the furnace, and repairs have been required. Mr. Fisher will look into getting three quotes for a new furnace.

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**Chamber of Commerce & Economic Development Liaison, Mr. Weigand:** Mr. Weigand stated he has nothing new to report.

**Policies & Procedures Liaison, Mr. Kaplan:** Mr. Kaplan stated he had nothing new to report.

**Fire Board, Mr. Schneider:** Mr. Schneider stated the Fire Board approved \$505,804 for a new Fire Engine. It will take 9 months to build it and get it delivered. Sixteen sets of new turnout gear were purchased for \$50,000. Mr. Schneider stated his appointment to the Fire Board expired earlier this month, and he asked to be reappointed as the Village's representative at this time because there is a meeting later this month. Mr. Kaplan made a motion to temporarily appoint Mr. Schneider to the Fire Board until the next Council Meeting that was seconded by Mr. Weigand.

Roll Call Vote: Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was approved.

**Cemetery Board, Mr. Schneider:** Mr. Schneider stated the leaf cleanup has been completed.

**JEDD, Mr. Schneider:** Mr. Schneider stated he had nothing to report.

**SOLICITOR'S REPORT:**

**Army Corps Directive Update:** Mr. Bryan stated the Village filed for an additional thirty-day extension. McCabe Engineering continues to work with the Village on a solution to alleviate the violation. The meeting between the Civil Division of the Army Corps and the Park that was supposed to take place this month has been postponed until after the end of the year.

**Republic Waste Services Contract Update:** Mr. Bryan stated he is still waiting on Republic's proposal for changes to the recycling program.

**2020 Employee Health Insurance:** Mr. Bryan stated the Village's employee health insurance renewal quote through the County Plan constitutes a 5% increase in the premium amount. Per the Village's Health Insurance Policy, employees are responsible for 50% of the increase through payroll deductions.

**Upcoming Council Vacancy:** Mr. Bryan reviewed with Council the procedures for filling the upcoming Council vacancy. Council has 30 days from January 1, 2020 to appoint a new councilperson by majority vote. If an appointment is not made during that time period, the authority to make the appointment reverts to the Mayor. The new councilperson must be a resident of the Village for at least one year prior to the date of appointment and a registered voter. Mr. Kaplan requested that the reporter from the Westside Leader, who was present, mention the Council opening in the next publication. The Village will also post the position on the Village website.

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**LEGISLATION:**

**Third Reading:**

**Ordinance No. 21-2019**

Requested by Councilperson Weigand

**An Ordinance Establishing Chapter 1119 of the Zoning Code Relating to the Conservation/ Recreation District and Overlay**

The Ordinance was read by title by Mr. Bryan. A motion was made by Mr. Weigand to pass Ordinance No. 21-2019 that was seconded by Mr. Kaplan.

Roll Call Vote: Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The Ordinance was adopted.

**Second Reading:**

**Resolution No. 28-2019**

Requested by Councilpersons Schneider and Matusz

**An Ordinance Establishing Section 137.03 of the Codified Ordinances Relating to Service Department Uniform Allowances**

The Ordinance was read by title by Mr. Bryan. A motion was made by Mr. Kaplan to suspend the three-reading rule that was seconded by Mr. Schneider. Mr. Bryan was asked to clarify when the Ordinance would take effect. Mr. Bryan stated the Ordinance would be effective starting with the 2020 calendar year and would not apply to 2019.

Roll Call Vote: Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was approved.

A Motion to pass the Ordinance was made by Mr. Schneider that was seconded by Mr. Weigand.

Roll Call Vote: Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The Ordinance was adopted.

**First Reading:**

**Resolution No. 30-2019**

Requested by Solicitor Bryan

**A Resolution Authorizing the Mayor and Fiscal Officer to Renew the Village's Agreement with the Legal Defender's Office of Summit County, Ohio for Indigent Representation in the Stow Municipal Court**

The Resolution was read by title by Mr. Bryan. This Resolution will advance to a second reading at the next Regular Council Meeting.

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**Resolution No. 31-2019**

Requested by Fiscal Officer Elkins

**A Resolution Requesting the Summit County Fiscal Officer, in the Year 2020, to Advance to the Village Monies to which the Village is Entitled from the Proceeds of Tax Levies for the Tax Year 2019**

The Resolution was read by title by Mr. Bryan. A motion was made by Mr. Kaplan to suspend the three-reading rule that was seconded by Mr. Schneider.

Roll Call Vote: Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was approved.

A Motion to pass was made by Mr. Schneider that was seconded by Mr. Kaplan.

Roll Call Vote: Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The Resolution was adopted.

**Resolution No. 32-2019**

**A Resolution Authorizing the Mayor and Fiscal Officer to Renew the Village's Employee Health Insurance Agreement with NFP Corporate Services through the Summit County Health Connection for the 2020 Calendar Year**

The Resolution was read by title by Mr. Bryan. A motion was made by Mr. Kaplan to suspend the three-reading rule that was seconded by Mr. Schneider.

Roll Call Vote: Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was approved.

A Motion to adopt was made by Mr. Kaplan to adopt that was seconded by Mr. Schneider.

Roll Call Vote: Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The Resolution was adopted.

**Resolution No. 33-2019**

Requested by Fiscal Officer Elkins

**A Resolution to Make Temporary Appropriations for Current Expenses and Other Expenditures of the Village for the Period of January 1, 2020 through March 31, 2020**

The Resolution was read by title by Mr. Bryan. A motion was made by Mr. Kaplan to suspend the three-reading rule that was seconded by Mr. Schneider.

Roll Call Vote: Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was approved.

A motion to pass was made by Mr. Schneider that was seconded by Ms. Holody.

Roll Call Vote: Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The Resolution was adopted.

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**Ordinance No. 34-2019**

Requested by Councilperson Weigand

**An Ordinance Establishing Chapter 1159 of the Zoning Code Relating to Subdivision Regulations**

The Ordinance was read by title by Mr. Bryan. This Ordinance will advance to a second reading at the next Regular Council Meeting.

**UNFINISHED BUSINESS:**

**Necessary Space Site Plan Layout for Land Swap Discussions with CVNP for Possible Service Department Headquarters:** The Mayor stated a group needs to be assembled to continue the discussions with the Conservancy and CVNP.

**Village Hall Structural Issues:** The Mayor stated the issues still need to be looked at by an Engineer. Ms. Holody suggested the Mayor meet with Mr. Fisher, the Buildings and Grounds Liaison, sometime before he leaves office to familiarize Mr. Fisher with the problem.

**Village Sidewalk Condition Survey:** The Mayor stated this matter was previously discussed in the meeting with respect to the area around the Methodist Church.

Mr. Kaplan requested that another table or two be added to the Council Chambers so that Councilmembers have enough space for their documents and computers.

Ms. Holody inquired about the status of the Bishop Lane Road sign. Chief Varga advised his understanding is that Mr. Haramis is in the process of making it.

**NEW BUSINESS:**

Mr. Kaplan expressed his appreciation to both Mayor Mayer and Councilwoman Holody for all of their years of service to the community. The rest of Council joined in those sentiments.

Ms. Holody read a statement thanking everyone for working with her over the years for the betterment of the Village. She stated it has been her great honor to work alongside everyone and serve her community for fourteen years. She hopes that others will get and stay involved, ask questions, lead initiatives, and continue to do the hard work required to preserve and protect Peninsula for future generations.

Mayor Mayer thanked the community for the opportunity to serve. What he will miss most is all of the people he was able to meet while serving as Mayor.

Mr. Bryan reported the Village has been named as a defendant in a lawsuit titled *Fisher v. Gaskill* that was recently filed in the Summit County's Common Pleas Court. The suit relates to the accessory building being built at 5995 Center Street. He stated he has forwarded the suit to the Village's insurance company.

**ADJOURNMENT:** A motion to adjourn was made by Mr. Kaplan and seconded by Mr. Schneider. All were in favor of the motion; none were opposed. The meeting was adjourned at 7:46 p.m.

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Respectfully submitted:

Douglas G. Mayer, Mayor

Date

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Trevor Elkins, Fiscal Officer

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**DRAFT RECORD OF PROCEEDINGS  
THEY ARE UN-OFFICIAL AND SUBJECT TO CHANGE  
RULES OF COUNCIL RULE 10 SECTION 1**

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